

Exhibit 2

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

DEMETRIUS BROWN,
Plaintiff,

- v -

UNITED STATES DEPARTMENT
OF JUSTICE, et al.,
Defendants.

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C. A. No. 04-379(Erie)

DECLARATION OF DAWN M. MARINI

1. I, Dawn M. Marini, do hereby declare that I am employed as a Clinical Director at the Federal Correctional Institution (FCI), Ray Brook, New York. I have been employed in this capacity since approximately January 28, 2001.

2. The medical records of the inmates who are either incarcerated at or released from (and are currently serving a term of supervised release) FCI Ray Brook are maintained in the ordinary course of business at FCI Ray Brook. As the Clinical Director at FCI Ray Brook, I have access to the medical records that are maintained in the ordinary course of business at FCI Ray Brook, including the medical record of inmate Demetrius Brown, Reg. No. 21534-039, the Plaintiff in the above-captioned civil action.

3. I have reviewed inmate Brown's prison medical records. The following is a summary of the medical attention he received from June 19, 1997, through October 25, 2005:

- a. On June 19 and 30, 1997, during intake screening examinations at the Federal Transfer Center (FTC), Oklahoma City, Oklahoma, and the United States Penitentiary (USP), Lewisburg, Pennsylvania, respectively, inmate Brown reported he had a history of marijuana use. See Document 2a, at pp. 13, 15, Medical Record of Demetrius Brown, Register Number 21534-039, attached hereto.
- b. On November 4, 2004, inmate Brown denied a history of prior marijuana use. Id., at p. 11.

- c. On July 8, 1997, during an intake screening examination, he denied any changes in his medical status. *Id.*, at p. 23.
- d. On July 14, 1997, inmate Brown reported a fungal infection of his toe and nail. After an examination, he was assessed with fungal infection. He was given antifungal ocream, and he was educated regarding foot hygiene. *Id.*, at p. 23.
- e. On July 16, 1997, a medical examination was conducted at FCI McKean. Inmate Brown indicated he was a non-smoker. *Id.*, at p. 8.
- f. On September 19, 1997, inmate Brown sustained a superficial wound to his hand at his inmate work assignment at the UNICOR factory. *Id.*, at pp. 23, 44.
- g. On March 1, 2005, inmate Brown reported staph exposure. He was assessed with status post staph exposure. He was not treated at that time. *Id.* at p. 19.
- h. On March 2, 2005, inmate Brown had an annual food handler's examination. During the examination, he denied any acute or chronic inflammatory conditions of the respiratory system. He denied any acute or chronic infections, skin diseases, or open sores. He denied any acute or chronic intestinal infections, and he denied he had any communicable diseases. *Id.*, at p. 17.
- i. On October 25, 2005, inmate Brown complained of a cold sore on his upper lip with hyper pigmentation for one week. After an examination, he was assessed with herpes simplex virus I, and hyper pigmentation lesion. He was educated regarding his condition. *Id.*, at p. 18.

4. Attached hereto, please find a true and correct copy of the prison medical record of inmate Demetrius Brown, Register Number 21534-039, which is maintained in the ordinary course of business at FCI Ray Brook.

Pursuant to the provisions of 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 29th day of December, 2005.

Dawn M. Marini, MD
Dawn M. Marini
Clinical Director
Federal Correctional Institution
Ray Brook, New York